

Attachment 10

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

PETER POE, et al.,

Plaintiffs,

v.

GENTNER DRUMMOND, et al.,

Defendants.

Case No. 23-cv-00177-JFH-SH

**DECLARATION OF BENJAMIN BOE IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

I, Benjamin Boe, pursuant to 28 U.S.C §1746, declare as follows:

1. My name for the purpose of the above-captioned action is Benjamin Boe, a pseudonym.¹ I am a Plaintiff in this action. I offer this Declaration in support of Plaintiffs' Motion for a Preliminary Injunction. I have personal knowledge of the facts set forth in this Declaration and could and would testify competently to those facts if called as a witness.

2. I am the father of Brandon Boe, who is seventeen. I live in Tulsa County, Oklahoma with my son and my wife, Bethany Boe, and Brandon's younger sibling.

¹ Benjamin Boe, Bethany Boe, and Brandon Boe are pseudonyms. My wife, my son (who is a minor), and I are proceeding under pseudonyms to protect our right to privacy and ourselves from discrimination, harassment, and violence, as well as retaliation for seeking to protect our rights.

3. My son Brandon is transgender. When he was born, he was designated female on his birth certificate.

4. Just before his fifteenth birthday, Brandon told me and my wife that he was transgender. Initially, we were shocked. Brandon explained to us that he had been thinking about this for a long time.

5. Looking back, I recall that Brandon always acted like a boy. He always preferred masculine clothing and typical boy activities. He would play in creeks and ponds, and always come home muddy.

6. When he was about five or six years old, he drew a picture for his mother that said, "I'm a boy" on it. Whenever he would draw himself in pictures, he drew himself as a boy.

7. In school, he would not want to line up with girls and would act out if forced to do so. He always insisted on wearing pants and would throw a fit every time his mother tried to make him wear a skirt.

8. After Brandon came out, my wife and I started conducting research on how best to support him. One of the first things we did was find him mental health care counseling. He was diagnosed with gender dysphoria.

9. Initially, Bethany and I wanted our son to wait until he turned 18 before undergoing any medical treatments for his gender dysphoria. But then we saw how hard it was on him and how isolated he was becoming without further treatment. We realized that he needed to live as himself, and he needed to start testosterone to do that. Brandon

wouldn't take his mask off in public, or even speak, because he was so terrified of being misgendered.

10. We researched and learned all we could to make sure we were as informed as possible about any hormone treatment. After six months of therapy, we consulted with an endocrinologist at Oklahoma University to consider hormone therapy. After six more months, Brandon began hormone therapy, and he has been receiving hormonal care continuously for the past nine months. By the time he started hormones, he had been living socially as a boy for almost two years.

11. As part of that process of getting treatment for our son, we seriously reviewed all of the literature the doctors gave us, and made Brandon review it, too. We were careful and methodical before allowing our son to start testosterone. We do not make hasty decisions. The medical providers were thorough and transparent about the pros and cons and let us make a decision as parents with our son. That informed consent process was much more thorough than the process for any other medical treatment we recall getting for Brandon, including having his tonsils removed (which required general anesthesia). His recovery process from that surgery was much more intense and traumatic for him than any of the care he receives for his gender dysphoria, which has made him happier and more himself.

12. Brandon is a lot more confident since he started testosterone. He always wears a binder in public and does not like being misgendered, but I have seen him become more comfortable in his body. He attends school events with his friends and recently got a job that involves speaking to strangers. I could not have imagined him being confident

enough to do that before he started testosterone. He is less irritable and more mellow because he is more at peace with himself. He is so much more joyful.

13. I am deeply concerned about Brandon having to stop his testosterone treatment. Life as a teenager without hormones was really difficult for Brandon's mental health; it was isolating. I am worried about his mental health and risk of suicidality if he is unable to continue his testosterone treatment. I have already spoken with Brandon about whether it is safe for him to stay in Oklahoma for college, even though it would be more affordable and convenient for Brandon to go to school in state, where he wants to study engineering.

14. If Brandon cannot receive hormone therapy in Oklahoma, I hope that we can get him into a clinic in another state. It's the right thing to do. But I know that other families will be unable to make that expensive trip to get care for their kids. There is only one other state where I could realistically work at my current job and ensure that Brandon receives the medical care he needs. The cost of living in that state is much, much higher.

15. I am extremely proud of my son and how resolved he has been. Helping our son be himself has made us really take a look at who we are as people, and who we want to be as parents.

16. My wife and I are conservative people. We met at a Christian college and remain religious. We are looking for a new church community that will be accepting of us and our son. This kind of lawsuit is never something we never thought we'd be involved with. But as parents, we have to do everything we can to protect our son.

17. S.B. 613 is a slap in the face to parents like us who have done everything right and are trying to do what is best for our kids. We have played by the rules and done everything asked of us to make sure that we and our son were informed about hormone treatment and that the treatment was the right choice for him. I do not want the state meddling in this very personal decision for our family and our child, just like we would not interfere with another family's decision.

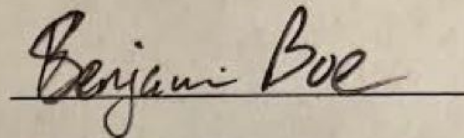
18. My wife and I do not want to move our family out of state. Both my family and my wife's family have lived in Oklahoma for generations. Even when we were in college together, every weekend we would drive back to our hometown.

19. My father is in his seventies, and he has an active relationship with his grandchildren and even their friends. Moving away would deprive my children of the ability to see their grandfather almost every day. My son would have to find a new job, and new friends, after working so hard to build a life for himself here.

20. Moving away would uproot our lives and everything we know as a family.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Tulsa County, Oklahoma on this 27 day of April 2023.

A handwritten signature in cursive script, reading "Benjamin Boe", is written over a horizontal line.

Benjamin Boe